

## DEFINITIONS AND EXEMPTION FOR THE COMMUNITY RIGHT TO KNOW SURVEY

N.J.A.C. 7:1G

(DEQ-094)

*[Current as of May, 1998]*

### **A. Definitions (7:1G-1.2)**

**"Community Right To Know Survey"** means the reporting form that combines the chemical inventory reporting requirements of the Environmental Survey, formerly Part I, and the Superfund Amendments and Reauthorization Act, Section 312.

**"Environmental Hazardous Substance"** (EHS) means any substance designated by the Department in N.J.A.C. 7:1G-2.

**"EPCRA"** means Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA).

**"Facility"** means the building, equipment and contiguous area at a single location used for the conduct of business. A "facility" does not include a research and development laboratory.

**"Mixture"** means a combination of two or more substances not involving a chemical reaction.

**"Research and development laboratory"** means a specially designated area, including pilot plants, used primarily for research, development, and testing activity, and not primarily involved in the production of goods for commercial sale, in which environmental hazardous substances are used by or under the direct supervision of a technically qualified person. For the purpose of reporting on the Community Right to Know Survey, "primarily" means greater than 50 percent.

**"SIC"** stands for Standard Industrial Classification. Assigned by the New Jersey Department of Labor, it identifies your business activity using a four-digit number code.

### **B. SIC Codes Requiring Submission of at Least Part 1 of CRTK Survey (Table C of CRTK Instructions)**

SIC CODES*	ACTIVITY	SIC CODES*	ACTIVITY
0782	Lawn and Garden Services	37	Transportation Equipment (Entire Major Group)
20	Food and Kindred Products (Entire Major Group)	38	Instruments and Related Products (Entire Major Group)
21	Tobacco Manufacturing (Entire Major Group)	39	Miscellaneous Manufacturing Industries (Entire Major Group)

22	Textile Mill Products (Entire Major Group)	4512	Scheduled Air Transport
23	Apparel and Other Textile Products (Entire Major Group)	4513	Air Courier Services
24	Lumber and Wood Products (Entire Major Group)	4581	Airports, Flying Fields, & Airport Terminal Serv.
25	Furniture and Fixtures (Entire Major Group)	46	Pipelines, Except Natural Gas (Entire Major Group)
26	Paper and Allied Products (Entire Major Group)	4731	Arrangement of Transportation of Freight and Cargo
27	Printing and Publishing (Entire Major Group)	4741	Rental of Railroad Cars
28	Chemicals and Allied Products (Entire Major Group)	4783	Packing and Crating
29	Petroleum and Coal Products (Entire Major Group)	4785	Fixed Facilities, Handling Motor Vehicle Transport, including Inspection and Weighing
30	Rubber and Miscellaneous Plastic Products (Entire Major Group)	4789	Transport Services, Not Elsewhere Classified
31	Leather and Leather Products (Entire Major Group)	4812	Radiotelephone Communication
32	Stone, Clay, and Glass Products (Entire Major Group)	4813	Telephone, Except Radiotelephone
33	Primary Metal Industries (Entire Major Group)	4822	Telegraph Communication (Radio or Wire)
34	Fabricated Metal Products (Entire Major Group)	49**	Electric, Gas, and Sanitary Services (Entire Major Group)
35	Machinery, Except Electrical (Entire Major Group)	5085	Machinery, Equipment, and Supplies - Industrial

36	Electrical and Electronic Equipment (Entire Major Group)	5087	Machinery, Equipment, and Supplies - Service Establishment
5093	Miscellaneous Durable Goods - Scraps and Waste	7532	Top, Body & Upholstery Repair, and Paint
5122	Drugs, Drug Proprieties, and Druggists' Sundries	7533	Automotive Exhaust System Repair
5162	Plastic Materials, Basic forms and Shapes	7534	Tire Retreading and Repair
5169	Chemicals and Allied Products, Not Elsewhere Classified	7536	Automotive Glass Replacement
5171	Petroleum Bulk Stations and Terminals	7537	Automotive Transmission Repair
5172	Petroleum and Petroleum Product Wholesalers, except Bulk Stations and Terminals	7538	General Automotive Repair
5181	Beer and Ale	7539	Automotive Repair, Not Elsewhere Classified
5182	Wines and Distilled Alcoholic Beverages	7692	Welding Repair
5191	Farm Supplies	8062**	General Medical and Surgical Hospitals
5192	Books, Periodicals, and Newspapers	8063**	Psychiatric Hospitals
5193	Flowers, Nursery Stock and Florists Supplies	8069**	Specialty Hospitals, Except Psychiatric
5194	Tobacco and Tobacco Products	8211**	Elementary and Secondary Schools
5198	Paints, Varnishes, and Supplies	8221**	Colleges, Universities, and Professional Schools
5199	Nondurable Goods, Not Elsewhere Classified	8222**	Junior Colleges and Technical Institutes

5511	Motor Vehicle Dealers (New and Used)	8249**	Vocational Schools, except vocational schools not elsewhere classified
5521	Motor Vehicle Dealers (Used Only)	8734	Testing Laboratories
5541	Gasoline Service Stations - Retail		
7216	Dry Cleaning Plants, Except Rug Cleaning		
7217	Carpet and Upholstery Cleaning		
7218	Industrial Launderers		
<p>* When a two-digit major SIC code is listed, all four-digit codes beginning with these two digits are, required to submit at least Part 1 of the CRTK Survey.</p> <p>** Public sector employers covered under the Worker and Community Right to Know Act receive the Right to Know Survey from the NJ Department of Health (NJDOH). It combines the hazardous substances inventory reporting requirements of both NJDEP and NJDOH.</p>			

### **C. Exemptions (7:1G-3.2)**

The following Environmental Hazardous Substances are exempt from reporting on the CRTK Survey and should not be included in the threshold determination:

1. EHSs located in an approved "research and development laboratory". Contact the Bureau of Chemical Release Information and Prevention at 609-292-6714 for more information.
2. Substances that are an integral part of a facility structure or furnishings.
3. Personal property for the personal use of employees at the facility.
4. Ammunition when on the person of security personnel.
5. Except for Saran, PVC and Lopac, substances that are present as a solid in any manufactured item that has been formed to a specific shape or design during manufacture, to the extent that exposure to the EHS does not occur under normal conditions of use.
6. EHSs comprising one percent or less of a "mixture," or 0.1 percent if the EHS is carcinogenic as defined at 29 CFR 1910.1200(d)4 of the federal Occupational Safety and Health Administration's hazard communications regulations.

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